

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 18-CR-0216 (SRN/HB)

Plaintiff,

v.

ORDER

MARTAVIS SHAWN DEMAR JAMES,

Defendant.

This matter is before the Court upon the pro se motion of Defendant Martavis Shawn Demar James to Extend the Deadline for Filing Motion of New Trial and/or Acquittal [Doc. No. 56].

An Indictment filed on September 12, 2018 charged Mr. James with eight counts of interference with commerce by robbery and two counts of attempted interference with commerce by robbery. After a four-day trial in May 2019, the jury returned a Guilty verdict on all ten counts. Throughout the trial and pretrial proceedings, Mr. James was represented by counsel, Peter B. Wold, and Aaron J. Morrison. Their representation continues to this day.

Two weeks after the trial concluded, the defendant filed this pro se motion, seeking to extend certain filing deadlines. Counsel for the government responded to the motion [Doc. No. 57], arguing that the Court need not consider a pro se motion filed by a party who is represented by counsel, citing *United States v. Clark*, 409 F.3d 1039, 1045 n.4 (8th Cir. 2005), *United States v. Cole*, 262 F.3d 704, 707 (8th Cir. 2001), and *United States v. Peck*, 161 F.3d 1171, 1174 n.4 (8th Cir. 1998).

In light of the fact that it is not “court practice to consider pro se briefs filed by a party who is represented by counsel,” (*Clark* at 1045 n.4), and in the absence of good cause, the Court therefore DENIES this pro se motion and instead invites Mr. James’s counsel, if they see fit, to file a proper motion articulating good cause to extend the deadlines.

SO ORDERED.

Dated: June 26, 2019

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge